

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR STABILIZING THE HUMAN SPINE WITH A BONE PLATE, the specification of which:

_____ is attached hereto.
X was filed on June 2, 1998 as Application Serial No. 09/089,027.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority

Claimed

N/A
(Number) (Country) (Date Filed)

Yes/No

N/A
(Number) (Country) (Date Filed)

Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

08/905,823
(Application Serial No.)

August 4, 1997
(Filing Date)

Pending
(Status)

(Application Serial No.)

(Filing Date)

(Status)

The Assignee hereby revokes any previous Powers of Attorney and appoints Eric B. Meyertons (Reg. No. 34,876), Kevin Daffer (Reg. No. 34,146), B. Noel Kivlin (Reg. No. 33,929), Jeffrey C. Hood (Reg. No. 35,198), David A. Rose (Reg. No. 26,223), Jeffrey W. Tayon (Reg. No. 30,717), and Michael F. Heim (Reg. No. 32,702), as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Please direct all communications as follows:

Eric B. Meyertons
Conley, Rose & Tayon, P.C.
P.O. Box 398
Austin, Texas 78767-0398
(512) 476-1400 (voice)
(512) 703-1250 (facsimile)

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Erik J. Wagner
(First) (Initial) (Last)

Inventor's Signature: EK U Wagner Date: 9-2-98

Country of Residence: USA Citizenship: USA

Post Office and Residences Address: 16920 SPRAW VALLEY LANE, AUSTIN TX 78717
(Include number, street name, city, state and zip code)

Inventor's Full Name: Robert Jones
(First) (Initial) (Last)

Inventor's Signature:  Date: 090398

Country of Residence: UNITED STATES Citizenship: UNITED STATES

Post Office and Residences Address: 13125 Troops Trail Austin Texas 78727
(Include number, street name, city, state and zip code)